

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

\$25,180.00 IN UNITED STATES  
CURRENCY,

Defendant.

4:13-CV-3103

ORDER

This matter is before the Court on the motion of claimant John Anderson to withdraw his claim (filing 100). The Court will grant the motion and deem Anderson's claim and answer withdrawn. With the withdrawal of the answer, the Clerk of the Court will be directed to enter default against the defendant, Anderson, and any other unknown individuals.

A Complaint for Forfeiture *In Rem* (filing 1) was filed on May 23, 2013. A Warrant for Arrest *In Rem* (filing 4) was issued and properly served on the defendant property by the United States Marshals Service. See filing 11. Publication of the notice of this action and of the arrest of the defendant property was made pursuant to an order entered by the United States Magistrate Judge on June 11. Filing 7. Anderson filed a claim on July 22 (filing 9) and appeared by answer filed August 19 (filing 12), but has now moved to withdraw his claim. Filing 100.

As directed by the Magistrate Judge's order (filing 7), a Notice of Forfeiture was posted beginning on June 13, 2013, on an official Internet government forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov), for at least 30 consecutive days, as required by [Supp. Admiralty and Maritime Claims R. G\(4\)\(a\)\(iii\)\(B\)](#). A declaration of publication (filing 15) was filed on August 27 and from a review of the Court file the Court finds that, with the withdrawal of Anderson's claim, no claims have been made.

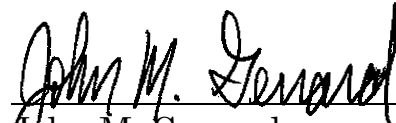
No person or entity entitled to the defendant property has filed a claim or an answer in response to plaintiff's Complaint for Forfeiture *In Rem* within the time fixed by law. Accordingly, the Court will direct the clerk's office to enter a default and direct the plaintiff to move for default judgment.

IT IS ORDERED:

1. The Motion to Withdraw Claim of John Anderson (filing [100](#)) is granted.
2. The Clerk of the Court is directed to enter default against the defendant \$25,180.00 in United States Currency, Anderson, and any other unknown individuals, pursuant to [Fed. R. Civ. P. 55\(a\)](#).
3. The plaintiff is directed to file, on or before May 21, 2015, a motion for default judgment, together with submitting to the undersigned judge a draft order which will fully dispose of the case.
4. The non-jury trial currently set to begin on May 4, 2015, is cancelled.
5. The motion to suppress (filing [95](#)) filed by Anderson is denied as moot.

Dated this 30th day of April, 2015.

BY THE COURT:

  
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John M. Gerrard  
United States District Judge